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HOUSE STUDY GROUP

daily floor report

Wednesday, January 14, 1981

Today the House will debate the rules. The proposed rules are analyzed beginning on page 1.

Dan Brody

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Director

THE HOUSE RULES

The resolution proposing rules for the House includes both "formal" changes (i.e., changes in wording and organization that do not affect the operations of the House) and "substantive" changes (i.e., changes in the effect of the rules). The Legislative Council has distributed a "Synopsis of Proposed House Rules" that explains the reasons for both types of changes. This report will discuss only the substantive changes proposed in today's resolution. A list of the major substantive changes appeared starting on page 3 of yesterday's HSG Weekly Preview.

Today's proposal is 191 pages long. A detailed table of contents of the rules was published in yesterday's HSG Weekly Preview, starting on page 9.

Rep. Frank Gaston has proposed a number of amendments to the rules. His proposals were listed on page 5 of yesterday's Weekly Preview. Gaston's proposals, some of which may be introduced today by other House members, are discussed in more detail in this report.

The analysis beginning on the following page discusses all the substantive changes proposed by the Speaker or by Gaston. They are listed in order of the sections of the rules they amend. Included in the discussion are amendments on the following subjects:

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SUBJECT: Selection and dismissal of House officers

LOCATION
IN RULES: Section 1.22 (page 9)

CHANGE
PROPOSED BY: Gaston

DIGEST: The Speaker now appoints all House officers.
The proposed change would require the Parliamentarian,
Chief Clerk, and Sergeant-at-Arms to be elected by
the House.

SUBJECT: Speaker's Office budget

LOCATION
IN RULES: Section 1.22 (page 9)

CHANGE
PROPOSED BY: Gaston

DIGEST: The change would require all expenses of the Speaker's
office to be listed in a budget submitted to the
House for approval. All salaries exceeding \$16,000
a year and all capital outlays of more than \$5,000
would have to be itemized and explained.

SUBJECT: Locking of voting machines

LOCATION
IN RULES: Sec. 2.03 (page 18); Sec. 2.04 (page 19); Sec. 4.23
(page 124)

CHANGE
PROPOSED BY: Speaker

DIGEST: The change would have the Reading Clerk, not the
Sergeant-at-Arms, lock the voting machines of absent
House members. The locking can now be done electro-

SUBJECT: Substantive committees

LOCATION
IN RULES: Sections 3.001 to 3.030 (pages 25 to 45)

CHANGES
PROPOSED BY: Speaker and Gaston

DIGEST: The Speaker is proposing the following changes in committee sizes:

- Business and Industry, Liquor Regulation, and Security and Sanctions all reduced from 11 to 9
- Higher Education increased from 11 to 13
- Regions, Compacts, and Districts up from 11 to 19
- House Administration reduced from 9 to 7

The Speaker has proposed the creation of a standing subcommittee on Pensions in the Employment Practices Committee and one on Aging in the Human Services Committee. (pages 29 and 35) The Speaker would appoint the subcommittee chairs. (page 10)

Gaston has proposed that the House Judiciary Committee be eliminated. (page 36)

SUBJECT: Committee membership

LOCATION
IN RULES: Sec. 3.052 (page 45), Sec. 3.054 (page 47)

CHANGE
PROPOSED BY: Speaker and Gaston

DIGEST: The Speaker has proposed that the ban on four committee chairs' serving on another substantive committee be removed. Gaston has drafted an amendment reinserting the ban.

Gaston has proposed a major change in how seniority selection of committee assignments works. The change would require selections to be made in open session of the House, with each member choosing a committee in order of seniority.

Gaston has proposed that the chairs of substantive committees not be permitted to serve on the Calendars, Rules, or House Administration Committees.

NOTE: For more information on seniority, see page 6 of yesterday's HSG Weekly Preview.

SUBJECT: Committee procedures and functions

LOCATION
IN RULES: Sec. 3.081 to 3.201 (pages 49 to 80)

CHANGE
PROPOSED BY: Speaker and Gaston

DIGEST: Gaston has proposed that one hour's notice be given before a committee is allowed to meet while the House is in session. (page 50)

Gaston has proposed that all committee hearings and formal meetings should be recorded, eliminating the rule that allows a two-thirds vote to dispense with recordings of public hearings. No rule presently requires that formal meetings be recorded. The proposed amendment would also require recordings to be stored by the Legislative Reference Library, not with the House Administration Committee. (pages 55 and 33)

The Speaker has proposed that an actuarial analysis be included with the committee report on all bills affecting public employee retirement systems. This step is required by HB 1506 and HB 2206, which were passed last session. (page 67)

The Speaker has proposed that bills recommended by a substantive committee for consideration on the local or consent calendars should go directly to the Committee on Local and Consent Calendars, bypassing the Committee on Calendars. (page 72; see also pages 26, 39, 100, and 102)

Gaston has proposed that committee substitutes killed because they are not germane to the original bill be returned to substantive committee. Currently, they return to the Calendars Committee, which may order the original bill set for debate. (page 75)

Gaston has proposed that bills could be referred to subcommittee only by a vote of the committee, rather than by the chair's decision. (page 77)

The Speaker has proposed creating the General Investigating Committee in the rules. In past sessions the committee has been created by a separate resolution (page 80)

SUBJECT: Calendars

LOCATION
IN RULES: Sec. 4.076 to 4.085 (pages 99 to 103)

CHANGES
PROPOSED BY: Gaston

DIGEST: Gaston has proposed that calendars must be distributed to House members 48 hours, rather than 24 hours, in advance of floor action. (page 99)

Gaston has proposed that, if the Committee on Calendars fails to set a bill for floor debate by placing it on a Daily House Calendar, a member may move on the House floor to have the bill placed on a specific day's calendar. (page 101)

SUBJECT: Postponed and tabled bills

LOCATION
IN RULES: Sec. 4.163 and 4.165 (page 115)

CHANGES
PROPOSED BY: Gaston

DIGEST: Gaston has proposed that a postponed or tabled bill must appear on the Daily House Calendar 24 hours in advance of floor action.

SUBJECT: Motion to suspend rules

LOCATION
IN RULES: Sec. 4.301 (page 132)

CHANGE
PROPOSED BY: Speaker

DIGEST: The Speaker has proposed that the words "on a main motion" be inserted to make formal the practice of not letting the rules be suspended twice on one main motion.

SUBJECT: Number of copies required for filing bills

LOCATION
IN RULES: Sec. 5.009 (page 144) and 5.11 (page 165)

CHANGES
PROPOSED BY: Speaker

DIGEST: The number of copies that must be filed with the Chief Clerk when a bill is introduced is increased by two.

SUBJECT: Local bills

LOCATION
IN RULES: Sec. 5.010 (page 145)

CHANGE
PROPOSED BY: Speaker

DIGEST: The section governing introduction of local bills is completely rewritten. The effect of the change is to list five types of bills that require public notice before filing, and to clarify the ban on the use of population "brackets."

SUBJECT: Preference (or "priority") bills

LOCATION
IN RULES: Sec. 5.012 (page 147)

CHANGE
PROPOSED BY: Speaker and Gaston

DIGEST: The Speaker has proposed three changes in the treatment of bills with preference numbers:

- a member could assign a preference number only to bills of which he was the "principal author"
- preference numbers could no longer go onto Senate bills
- preference numbers would have to be assigned before a bill received a committee hearing

Gaston has proposed an amendment undoing the Speaker's proposed changes and also giving bills with preference numbers priority in committee over all bills without preference numbers.

Both proposed changes clarify the treatment of preference bills by the Calendars Committee, although the wording of the two proposals is different.

SUBJECT: Subcommittees on Budget and Oversight

LOCATION
IN RULES: Sec. 5.052 (page 156) and Sec. 5.058 (page 159)

CHANGES
PROPOSED BY: Speaker

DIGEST: Subcommittees on "appropriative matters" are renamed subcommittees on "budget and oversight." An additional one is created in the Committee on Higher Education. The Judiciary Committee is redefined as "a substantive committee" for appropriations purposes, so that it too would have a subcommittee on budget and oversight. (See above for Gaston's proposal to eliminate the Judiciary Committee.)

SUBJECT: Points of order on the appropriations bill

LOCATION
IN RULES: Sec. 5.056 (page 162)

CHANGE
PROPOSED BY: Gaston

DIGEST: Gaston has proposed eliminating the rule that prevents a point of order from being raised during consideration of the appropriations bill on the House floor if no similar point of order was raised before the appropriations committee.

SUBJECT: Limit on state spending

LOCATION
IN RULES: Sec. 5.066 (page 163) and Sec. 6.44(b)5 (page 176)

CHANGES
PROPOSED BY: Speaker

DIGEST: The Speaker proposes a procedure to implement the limit on state spending required by HJR 1 in 1978. No bill appropriating funds may be passed by the House before the general appropriations bill passes, with certain exceptions. Also, no bill appropriating funds may be passed if the bill would raise state spending above the computed limit. (page 163)

The Speaker also proposes allowing the conference committee on the general appropriations bill to add appropriations for programs authorized by one or both houses. This section is needed because, under the new spending limit, no special appropriations bills for newly created programs can be passed until after the general appropriations bill is approved.
(page 176)

SUBJECT: Printing of House bills

LOCATION
IN RULES: Sec. 5.141 (page 169)

CHANGE
PROPOSED BY: Speaker

DIGEST: The Speaker has proposed that bills no longer be printed after passage on third reading by the House. The next printing and distribution to all members would not come until (and if) the bill is passed with Senate amendments.

SUBJECT: Notice of conference committee meetings

LOCATION
IN RULES: Sec. 6.41 and 6.42 (page 174)

CHANGES
PROPOSED BY: Gaston

DIGEST: Gaston has proposed that conference committees be required to give two hours' notice of the time and place of their meetings.

SUBJECT: Limitations on appropriations conference committee

LOCATION
IN RULES: Sec. 6.44(f) (page 179)

CHANGE
PROPOSED BY: Speaker

DIGEST: The Speaker has proposed that resolutions relaxing the limitations on the appropriations conference committee be treated as privileged. These resolutions are commonly introduced to allow the committee to make an appropriation that is not in either the House or the Senate appropriations bill, or to solve a problem not anticipated by either House. It normally takes a two-thirds vote to suspend the rules to bring up such a resolution. If this rules change is approved, only a majority vote will be needed.